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Eva-Maria Leppanen

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EXAMINER

NOORISTANY, SULAIMAN

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/529,577	Applicant(s) LEPPANEN ET AL.	
	Examiner SULAIMAN NOORISTANY	Art Unit 2446	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 11-17, 19, 21-25 and 27-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 11-17, 19, 21-25 and 27-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/7/2007, 3/30/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/24/2009, 9/8/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This Office Action is response to the application (10/529577) filed on 08/24/2009

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 11-17, 19, 21-25, 27-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mathis** U.S Patent No. **US 6993327** in view of **Philonenko** U.S Patent App. No. **US 2003/0009530**.

Regarding claim 1, Mathis teaches wherein an apparatus comprising at least one processor and at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus at least to perform:

storing presence information associated with at least one user (**Fig. 1, unit 102 – The client devices 102, 104, 106, 108 and the server 112 each include a processor for general operation of the server and a memory for storage of applications and data – col. 3, lines 13-26**);

for identifying an application for which said at least one part is intended (**Each contact list is able of identifying devices of the plurality of communication**

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devices – col. 2, lines 10-34; The present invention enables distribution of presence information to multiple client devices – col. 3, lines 13-25).

However, Mathis does not explicitly teach *providing presence information associated with said at least one user to at least one entity*.

Philonenko further teaches that is well known that to utilize providing presence information associated with said at least one user to at least one entity comprising a plurality of parts, at least one of said parts comprising information identifying an application for which said at least one part is intended **(identification parameter (member ID number) – [0146]);** and

at least one entity to which presence information associated with said at least one user is provided, said at least one entity comprising at least one application **(entities include agents, clients, machines, and software applications – [0021]);**

for identifying an application for which said at least one part is intended **(ICQ.TM. service – [0088])**

said at least one entity being configured to use said information to obtain the at least one part of said presence information intended for said at least one entity application of the at least one entity **(a client may configure as many devices into the system as desired for enabling agent callbacks under a variety of circumstances – [0119])** in order to make this more efficient and providing communication capability using an instant message and presence protocol between members of the communication center including automata of the center [0002].

It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to modify Mathis's invention by utilizing software (application) which is monitoring and reporting application and providing for reporting presence information of networked entities in real time. While presence information is flexible and useful for reporting information about agents to clients and about clients to agents, it has occurred to the inventors that there also exists an opportunity for using such a presence protocol for managing the communication center itself in terms of internal policy, and member-to-member communication within the center whether agent-to-agent, machine-to-machine, agent-to-machine, or machine-to-agent. Furthermore, what is clearly needed is system and method that extends the use of an instant message and presence protocol to enable synchronizing of data among members of the communication center team itself and the call center equipment. Such a system and method would economize communication by replacing some of the more complex and traditional telephony software routines, as taught by Philonenko [0017-0018].

Regarding claim 11, Mathis and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said at least one user comprises user equipment (**Fig. 1 -- wireless connectivity 118 between the client devices 102, 104, 106, 108 and the server – col. 3, lines 12-30**).

Regarding claim 12, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

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subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color (**FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101**).

Regarding claims 13, Mathis and Philonenko together taught the apparatus as in claim 1 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol (**SIP – [0100]**).

Regarding claims 14, Mathis and Philonenko together taught the apparatus as in claims 1 above. Mathis further teaches wherein said part of information comprises a tuple (**Fig. 11, unit 1107 – Tuples – [0178]**).

Regarding claims 15, Mathis and Philonenko together taught the apparatus as in claim 1 above. Mathis further teaches wherein said tuple comprises; Philonenko further teaches wherein information identifying said user and said application identifying information (**every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]**).

Regarding claims 16, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philonenko further teaches wherein said processor is configured to receive a

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request from said entity for only one or more parts of said presence information processed by one or more applications of said entity (**FIG. 3 is a flow diagram illustrating client and system procedural steps for practicing communication-center presence reporting according to an embodiment of the present invention – [0030]**).

Regarding claims 17, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. (**filtering status information that closely matches a user request – [0056]**).

Regarding claim 19, Mathis and Philonenko together taught the apparatus as in claim 1 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. (**filtering status information that closely matches a user request – [0056]**).

Regarding claim 21 list all the same elements of **claims 1**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1** applies equally as well to **claim 21**.

Regarding claim 22, Mathis and Philonenko together taught the system of claim 21, as described above. Mathis further teaches wherein said entity application is configured to

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process the at least one part of the presence information that comprises information identifying said entity application (**a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45)**)

Regarding claim 23 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 23**.

Regarding claim 24 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 24**.

Regarding claim 25, Mathis and Philonenko together taught the apparatus of claim 24, as described above. Mathis further teaches wherein said entity application is configured to process the at least one part of the presence information that comprises information identifying said entity application (**a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45)**)

Regarding claim 27 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 27**.

Regarding claim 28 list all the same elements of **claims 1 & 21**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 28**

Regarding claim 29, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said entity is a user terminal (**In FIG. 5 there are two clients (persons) labeled Client 1 and Client 2. There are four client devices 129, 133, 137, and 125, shown in FIG. 5. Client 1 has a PC 129 at his home, which executes an instance of FPS-SW 131, which is, in this case, AOL. Client 1 also has a PC 137 at his office executing an instance of CPS-SW 195 – [0105]).**

Regarding claim 30, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the at least one user comprises a presence engine (**A user may connect to an IM server to establish and download presence information – Col. 2, lines 62-65).**

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Regarding claim 31, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein said at least one application is configured to register with said presence engine said information identifying said application **(Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is capable of identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45).**

Regarding claim 32, Mathis and Philonenko together taught the system as in claim 23 above. Mathis further taught wherein at least one of said at least one application and said presence engine is configured to add said identifying information to at least one part of the presence information **(A contact list, associated with each communication device, identifies one or more of the other communication devices – col. 1, lines 59-61).**

Regarding claim 33, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 6 is a plan view of an exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0110]).**

Regarding claim 34, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol (**SIP – [0100]**).

Regarding claim 35, Mathis, Sylvain and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said part of information comprises a tuple (**Fig. 11, unit 1107 – Tuples – [0178]**).

Regarding claim 36, Mathis and Philonenko together taught the apparatus of claim 23, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information (**every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]**).

Regarding claim 37, Mathis and Philonenko together taught as in system as in claim 23 above. Mathis further teaches wherein said at least one entity is configured to receive said at least one part of said information (**Fig. 2, unit 260 – each client device configures itself to receive multicast messages**).

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Regarding claim 38, Mathis and Philonenko together taught the system as in claim 23 above. Mathis further teaches wherein said entity is configured to direct said at least one part of said information to the identified entity application **(Fig. 2, unit 260 -- Fig. 2, unit 260 – each client device configures itself to receive multicast messages send to the multicast addresses)**.

Regarding claim 39, Mathis, Sylvain and Philonenko together taught the system as in claim 23 above. Mathis further taught wherein at least one of said at least one application and said presence engine is configured to add said identifying information to at least one part of the presence information **(Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is capable of identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45)**.

Regarding claim 40, Mathis and Philonenko together taught the apparatus as in claim 23 above. Philonenko further teaches wherein said entity is a user terminal **(In FIG. 5 there are two clients (persons) labeled Client 1 and Client 2. There are four client devices 129, 133, 137, and 125, shown in FIG. 5. Client 1 has a PC 129 at his home, which executes an instance of FPS-SW 131, which is, in this case, AOL. Client 1 also has a PC 137 at his office executing an instance of CPS-SW 195 – [0105])**.

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Regarding claims 41, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189])**.

Regarding claim 42, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 6 is a plan view of an exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0110])**.

Regarding claim 43, Mathis and Philonenko together taught the apparatus as in claim 23 above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol **(SIP – [0100])**.

Regarding claim 44, Mathis and Philonenko together taught the apparatus as in claims 23 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178])**.

Regarding claim 45, Mathis and Philonenko together taught the apparatus of claim 23, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146])**.

Regarding claim 46, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein the apparatus is configured to request only one or more parts of said presence information processed by one or more applications of the apparatus **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189])**.

Regarding claim 47, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056])**.

Regarding claim 48, Mathis and Philonenko together taught the system as in claim 24 above. Philonenko further teaches wherein said filtering unit is provided in at least one

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of a apparatus **(filtering status information that closely matches a user request – [0056])**, a presence server: and said at least one user **(presence server – [0066])**.

Regarding claim 49, Mathis and Philonenko together taught the apparatus as in claim 24 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056])**.

Regarding claim 50 list all the same elements of **claims 1 & 21**, but in method form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 50**.

Regarding claim 51 list all the same elements of **claims 1 & 21**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 51**.

Regarding claim 52 list all the same elements of **claims 1 & 21**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1 & 21** applies equally as well to **claim 52**.

Regarding claim 53, Mathis and Philonenko together taught the system of claim 21, as described above. Mathis further teaches wherein directing said at least one part of said

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information to the identified entity application information identifying said entity application **(a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45).**

Regarding claims 54, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]).**

Regarding claim 55, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philonenko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101).**

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Regarding claims 56, Mathis and Philonenko together taught the apparatus as in claims 21 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178])**.

Regarding claims 57, Mathis and Philonenko together taught the apparatus of claim 21, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146])**.

Regarding claim 58, Mathis and Philonenko together taught the system as in claim 50 above. Mathis further teaches wherein said at least one entity is configured to receive said at least one part of said information **(Fig. 2, unit 260 – each client device configures itself to receive multicast messages)**.

Regarding claim 59, Mathis and Philonenko together taught the system as in claim 50 above. Mathis further teaches wherein said entity is configured to direct said at least one part of said information to the identified entity application **(Fig. 2, unit 260 -- Fig. 2, unit 260 – each client device configures itself to receive multicast messages send to the multicast addresses)**.

Regarding claims 60, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philonenko further teaches wherein sending request, wherein said receiving comprises said at least one part of said information in response to the request **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189])**.

Regarding claim 61, Mathis and Philonenko together taught the apparatus as in claim 21 above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:

subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(FIG. 5 is a plan view of exemplary agent-side media-interfaces 99 and 101 containing availability status and callback parameters according to an embodiment of the present invention – [0030]; 6, unit 99 and 101)**.

Regarding claims 62, Mathis and Philonenko together taught the apparatus as in claims 50 above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 – Tuples – [0178])**.

Regarding claims 63, Mathis and Philonenko together taught the apparatus of claim

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50, as described above. Mathis further teaches wherein said tuple comprises;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146])**.

Regarding claims 64, Mathis and Philonenko together taught the apparatus as in claim 50 above. Philonenko further teaches wherein said processor is configured to receive a request from said entity for only one or more parts of said presence information processed by one or more applications of said entity **(FIG. 3 is a flow diagram illustrating client and system procedural steps for practicing communication-center presence reporting according to an embodiment of the present invention – [0030])**.

Regarding claim 65, Mathis and Philonenko together taught the apparatus as in claim 50 above. Philonenko further teaches wherein said apparatus comprises a filter to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056])**.

Response to Amendment

Applicant's arguments filed on 08/24/2009 have been fully considered but they are not persuasive.

Applicant Argument: A combination Mathis with the Philonenko fails to teach this element "information identifying an application."

Examiner Response: Mathis discloses in Fig. 1, col. 3, lines 13-25, the client devices 102, 104, 106, 108 and the server 112 each include a processor for general operation of the server and a memory for storage of applications and data wherein a portion of the plurality of communication devices receives the multicast messages identified by the one or more multicast addresses and **extracts the presence information** about the group of multicast devices from the multicast messages, which is "Here same as identifying an application (e.g. extracting the presence information)."

Philonenko further discloses wherein the networked entities include agents, clients, machines, and **software applications** and data reporting, and synchronization is conducted using an **instant message and presence protocol** (which is here same as **identifying an application**). In some cases the software agent locates the target entity in the system and requests current data from the entity to build a complete or update an existing model of the presence information belonging to the entity. Also in some cases application activity is event driven, the event characterized as one of a routing request, a queuing request, or a system status request – [0021].

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Philonenko further discloses in one embodiment of the present invention, PC 9 has a known instant-messaging software application installed therein and adapted to use FPS 93 as a centralized communication server. An example of one such messaging service would be the well-known ICQ.TM. service (**"ICQ here is an identified application or a software applications which is synchronized and conducted using an instant message and presence protocol"**). In this case, CCPS 94 running on status server 49 is adapted to support the particular instant-messaging application employed by user 9 and supported at FPS 93. The instant-messaging application is, of course, assumed to be executing on the client machine, shown here as FPS-SW 97. For example, CCPS 94 may be adapted **to recognize various descriptive states-of-activity represented at FPS 93 and associated with real-time communication states of connected users**, in this case user 9. Examples of such states available through instant messaging services include indications of whether user 9 may be off-line or online. Other status indications such as "user is away" or "do not disturb" may also be included as standard status indications available with known messaging services – [0088].

Similarly, the software of the present invention may be provided in a variety of functionalities ranging from an extendable application program interface (API) to an existing instant-messaging service to a fully functional server-driven service application including client-side and server-side components – [0108].

In addition to instant messaging, status alerts may take the form of pager messages **"pager here is same as a type of application"** or other types of known

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alerts **“types of known alert here is same other types of application”** when a client status is determined to be off-line --[0109], [0155].

Furthermore, Philonenko discloses that one with skill in the art will appreciate that IMPP can be used as communication between all center members whether human or no or whether they are aggregated as groups or not. Members can include database software and traditional communication-center functional applications like routing software, tracking software, queuing software, and the like. Using IMPP with database resolution down to individual state blocks enables an accurate and current picture of activity state and availability of any given communication center principle – [0189]

“Principle here is same as application”... “Principle 1101 may be a single user such as an agent, client or single machine (system) or application -- [0174]”.

Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application. For example, as a principle evolves in activity state, each actual state change can be considered an event in an event-driven system such that a current presence report is always immediately available. Accessing the presence information is also event driven. For example, if there are no requests logged or active within the communication system dealing with a particular principle, then there is no activity spawned to access information about the principle. This concept is event-driven access. An example of events in this case would be a number of calls waiting in queue for a particular agent. Each call as it comes up for treatment will be an event that spawns activity, for example, of a routing application to request and obtain most recent

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presence information on the agent before final routing determination -- [0189].

Therefore, examiner maintains the rejection.

Conclusion

Applicant's argument filed on 08/24/2009, have been fully considered but they are not persuasive. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sulaiman Nooristany whose telephone number is (571) 270-1929. The examiner can normally be reached on M-F from 9 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu, can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR)

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system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sulaiman Nooristany 12/14/2009

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2446